

Scheindlin, S.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File C.A. No.
1:00-1898 (SAS)
MDL 1358

This Document Relates To:

City of Fresno v. Chevron U.S.A., Inc., et al.,
Case No. 04-Civ-04973

[PROPOSED] ORDER OF DISMISSAL



After considering the parties' Stipulated Dismissal of Duke Energy Merchants California, Inc. and Duke Energy Trading and Marketing, LLC, and for good cause shown, the Court hereby:

ORDERS, ADJUDGES, AND DECREES that all claims and demands of Plaintiff City of Fresno against Defendants Duke Energy Merchants California, Inc. and Duke Energy Trading and Marketing, LLC are hereby **DISMISSED WITH PREJUDICE** pursuant to Fed. R. Civ. P. 41(a)(2). Each party shall bear its own costs, expenses, and attorneys' fees in connection with this dismissal.

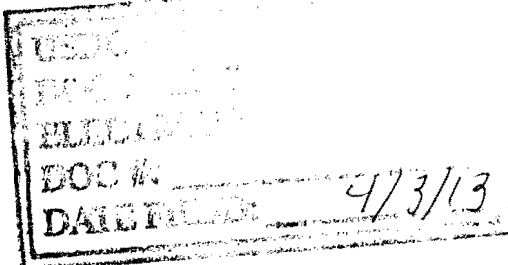
IT IS SO ORDERED

Dated: _____

4/3/13


_____ 

United States District Judge



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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of April 2013, I served a copy of the foregoing Stipulated Dismissal of Duke Energy Merchants California, Inc. and Duke Energy Trading and Marketing, LLC on all counsel of record in City of Fresno v. Chevron U.S.A., Inc., Case No. 04-Civ-4973 (SAS) via LexisNexis File & Serve.

/s/ James R. Wedeking

James R. Wedeking